

## Notice of Exemption

**To:**

Office of Planning and Research  
For U.S. Mail:  
P.O. Box 3044  
Sacramento, CA 95812-3044

**From:**

Department of Fish and Wildlife  
Region 1 - Northern  
601 Locust Street  
Redding, California 96001



*Street Address:*

1400 Tenth Street  
Sacramento, CA 95814

**Project Title:** Bittner Water Diversions & Stream Crossing Improvement Project (Lake or Streambed Alteration Agreement No. 1600-2020-0376-R1)

**Project Location (include county):** The project site is located at 560 Wood Ranch Road approximately 3.4 miles northeast of the town of Redway in Humboldt County; Assessor’s Parcel Number (APN) 214-141-004-000.

**Project Description:** The California Department of Fish and Wildlife has executed Lake and Streambed Alteration Agreement (Agreement) No. 1600-2020-0376-R1, pursuant to Section 1602 of the Fish and Game Code for Mr. Robert Bittner.

The project has been proposed to permit continued use of an existing steel-cistern domestic surface water diversion, upgrade and continue use of an additional domestic surface water diversion from a screened pipe to a formal cistern/spring-box, as well as to address sediment inputs and risk of fill failure by implementing design improvements at 6 existing stream crossings. This project proposes to maintain, replace, and/or upgrade existing structures & stream crossings to meet capacity and stability criteria for 100-year flows. The project is necessary to minimize existing sediment inputs to the Eel River watershed.

**Public Agency Approving Project:** CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

**Person or Public Agency Carrying Out Project:** Mr. Robert Bittner

**Exempt Status:**

Statutory Exemption.

Categorical Exemptions. Types:

**Class 1; California Code of Regulations, title 14, section 15301; Existing Facilities.** Operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

Categorical Exemptions. Types:

**Class 2; California Code of Regulations, title 14, section 15302; Replacement or Reconstruction.** Replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

Categorical Exemptions. Types:

**Class 4; California Code of Regulations, title 14, section 15304; Minor Alterations to Land.** Minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees.

**Reasons why project is exempt:** The proposed project involves continued operation and use of existing domestic-use surface water diversions with strict limitations on water diversion rates. Minor alteration to one of the existing diversions should further protect sensitive species by limiting potential for take of sensitive species while further maintaining flow during low-flow periods. All stream crossing maintenance and/or replacement activities will occur within the same footprint and will serve the same purpose as the replaced structure, yet will serve to abate the impacts from sediment to the Eel River watershed through proper engineering. This project, as carried out in accordance with the Agreement, poses no significant adverse impacts to endangered, rare or threatened species or their habitat.

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**CDFW Contact Person:** Ashley Worth, Senior Environmental Scientist (Specialist) (530) 225-2384

DocuSigned by:  
*Donna L. Cobb*  
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Signature: \_\_\_\_\_ Date: 2/5/2021

Donna L. Cobb  
Senior Environmental Scientist Supervisor  
Cannabis Enforcement Program

Date received for filing at OPR: \_\_\_\_\_